

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3325

To amend certain provisions of title 5, United States Code, relating to the age and service requirements for entitlement to an immediate annuity under the Civil Service Retirement System or the Federal Employees' Retirement System, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 20, 1993

Mr. SHAYS (for himself, Mr. ANDREWS of Texas, Mr. WALSH, Mr. KOLBE, Mr. SMITH of Texas, Mr. BOEHNER, Mr. FRANK of Massachusetts, and Mr. BALLENGER) introduced the following bill; which was referred to the Committee on Post Office and Civil Service

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## A BILL

To amend certain provisions of title 5, United States Code, relating to the age and service requirements for entitlement to an immediate annuity under the Civil Service Retirement System or the Federal Employees' Retirement System, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the "Federal Retirement  
5       Reform Act".

1 **SEC. 2. REVISED AGE AND SERVICE REQUIREMENTS**  
 2 **UNDER CSRS.**

3 (a) AMENDMENT RELATING TO RETIREMENT AT  
 4 AGE 55 WITH 30 YEARS OF SERVICE.—Section 8336(a)  
 5 of title 5, United States Code, is amended to read as fol-  
 6 lows:

7 “(a)(1)(A) Subject to paragraph (2), an employee  
 8 who is separated from the service after attaining the mini-  
 9 mum retirement age under subparagraph (B) and com-  
 10 pleting 30 years of service is entitled to an annuity.

11 “(B) The minimum retirement age under this sub-  
 12 paragraph shall be determined in accordance with the  
 13 following:

<b>“For those whose date of separation occurs</b>	<b>The minimum retirement age under this subparagraph is</b>
Before January 1, 1996 .....	55
After December 31, 1995, and before January 1, 1998 .....	56
After December 31, 1997, and before January 1, 2000 .....	57
After December 31, 1999, and before January 1, 2002 .....	58
After December 31, 2001, and before January 1, 2004 .....	59
After December 31, 2003, and before January 1, 2006 .....	60
After December 31, 2005, and before January 1, 2008 .....	61
After December 31, 2007, and before January 1, 2010 .....	62
After December 31, 2009, and before January 1, 2012 .....	63
After December 31, 2011, and before January 1, 2014 .....	64.

14 “(2) Any employee who, after December 31, 2013,  
 15 is separated from the service after becoming 65 years of  
 16 age and completing 5 years of service is entitled to an an-  
 17 nuity.”.

18 (b) AMENDMENT RELATING TO RETIREMENT AT  
 19 AGE 60 WITH 20 YEARS OF SERVICE.—Section 8336(b)

1 of title 5, United States Code, is amended to read as fol-  
2 lows:

3 “(b)(1) Subject to paragraph (2), an employee who  
4 is separated from the service after becoming 60 years of  
5 age and completing 20 years of service is entitled to an  
6 annuity.

7 “(2) This subsection shall not apply in the case of  
8 any employee whose date of separation occurs after De-  
9 cember 31, 2003.”.

10 (c) AMENDMENT RELATING TO RETIREMENT AT AGE  
11 62 WITH 5 YEARS OF SERVICE.—Section 8336(f) of title  
12 5, United States Code, is amended to read as follows:

13 “(f)(1) Subject to paragraph (2), an employee who  
14 is separated from the service after becoming 62 years of  
15 age and completing 5 years of service is entitled to an an-  
16 nuity.

17 “(2) This subsection shall not apply in the case of  
18 any employee whose date of separation occurs after De-  
19 cember 31, 2007.”.

20 (d) REDUCTION FOR EARLY RETIREMENT.—The  
21 first sentence of section 8339(h) of title 5, United States  
22 Code, is amended by striking “55 years of age” and insert-  
23 ing “the minimum age required to be eligible to retire  
24 under paragraph (1) or (2) of section 8336(a) (as the case  
25 may be)”.

1 **SEC. 3. REVISED AGE AND SERVICE REQUIREMENTS**  
 2 **UNDER FERS.**

3 (a) AMENDMENT RELATING TO RETIREMENT AT  
 4 AGE 55 to 57 WITH 30 YEARS OF SERVICE.—Section  
 5 8412(a) of title 5, United States Code, is amended to read  
 6 as follows:

7 “(a)(1) An employee or Member who, before January  
 8 1, 2000, is separated from the service after attaining the  
 9 applicable minimum retirement age under subsection (h)  
 10 and completing 30 years of service is entitled to an annu-  
 11 ity.

12 “(2)(A) Subject to paragraph (3), an employee or  
 13 Member who, after December 31, 1999, is separated from  
 14 the service after attaining the minimum retirement age  
 15 under subparagraph (B) and completing 30 years of serv-  
 16 ice is entitled to an annuity.

17 “(B) The minimum retirement age under this sub-  
 18 paragraph shall be determined in accordance with the  
 19 following:

<b>“For those whose date of separation occurs</b>	<b>The minimum retirement age under this subparagraph is</b>
After December 31, 1999, and before January 1, 2002 .....	58
After December 31, 2001, and before January 1, 2004 .....	59
After December 31, 2003, and before January 1, 2006 .....	60
After December 31, 2005, and before January 1, 2008 .....	61
After December 31, 2007, and before January 1, 2010 .....	62
After December 31, 2009, and before January 1, 2012 .....	63
After December 31, 2011, and before January 1, 2014 .....	64.

20 “(3) Any employee or Member who, after December  
 21 31, 2013, is separated from the service after becoming 65

1 years of age and completing 5 years of service is entitled  
2 to an annuity.”.

3 (b) AMENDMENT RELATING TO RETIREMENT AT  
4 AGE 60 WITH 20 YEARS OF SERVICE.—Section 8412(b)  
5 of title 5, United States Code, is amended to read as  
6 follows:

7 “(b)(1) Subject to paragraph (2), an employee or  
8 Member who is separated from the service after becoming  
9 60 years of age and completing 20 years of service is enti-  
10 tled to an annuity.

11 “(2) This subsection shall not apply in the case of  
12 any employee or Member whose date of separation occurs  
13 after December 31, 2003.”.

14 (c) AMENDMENT RELATING TO RETIREMENT AT AGE  
15 62 WITH 5 YEARS OF SERVICE.—

16 Section 8412(c) of title 5, United States Code, is  
17 amended to read as follows:

18 “(c)(1) Subject to paragraph (2), an employee or  
19 Member who is separated from the service after becoming  
20 62 years of age and completing 5 years of service is enti-  
21 tled to an annuity.

22 “(2) This subsection shall not apply in the case of  
23 any employee or Member whose date of separation occurs  
24 after December 31, 2007.”.

1 (d) REDUCTION FOR EARLY RETIREMENT.—Section  
2 8415(f)(1) of title 5, United States Code, is amended by  
3 striking “the sixty-second anniversary of the birth of the  
4 employee or Member” and inserting “the date as of which  
5 such employee or Member attains the minimum retirement  
6 age required to be eligible to retire under paragraph (1),  
7 (2), or (3) of section 8412(a) (as the case may be)”.

8 **SEC. 4. ELIMINATION OF AGE AND SERVICE REQUIRE-**  
9 **MENTS SPECIFIC TO MEMBERS OF CON-**  
10 **GRESS.**

11 (a) ELIMINATION OF REQUIREMENTS.—Sections  
12 8336(g) and 8412(f) of title 5, United States Code, are  
13 repealed.

14 (b) MEMBERS MADE SUBJECT TO THE GENERALLY  
15 APPLICABLE REQUIREMENTS.—

16 (1) RETIREMENT AT AGE 55 WITH 30 YEARS OF  
17 SERVICE.—Section 8336(a) of title 5, United States  
18 Code, as amended by section 2(a), is further amend-  
19 ed by inserting “or Member” after “employee” each  
20 place it appears.

21 (2) RETIREMENT AT AGE 60 WITH 20 YEARS OF  
22 SERVICE.—Section 8336(b) of title 5, United States  
23 Code, as amended by section 2(b), is further amend-  
24 ed by inserting “or Member” after “employee” each  
25 place it appears.

1           (3) RETIREMENT AT AGE 62 WITH 5 YEARS OF  
 2           SERVICE.—Section 8336(f) of title 5, United States  
 3           Code, as amended by section 2(c), is further amend-  
 4           ed by inserting “or Member” after “employee” each  
 5           place it appears.

6           (c) EFFECTIVE DATE.—The amendments made by  
 7           this section shall take effect on January 1, 1996, and shall  
 8           apply with respect to separations occurring on or after  
 9           that date.

10   **SEC. 5. FIREFIGHTERS; LAW ENFORCEMENT OFFICERS; AIR**  
 11                           **TRAFFIC CONTROLLERS.**

12           (a) YEARS OF SERVICE REQUIRED FOR AN IMME-  
 13           DIATE ANNUITY UNDER CSRS—

14                   (1) SCHEDULE FOR INCREASING YEARS RE-  
 15           QUIRED TO 30.—Section 8336 of title 5, United  
 16           States Code, is amended by adding at the end the  
 17           following:

18           “(o)(1) The minimum years of service required under  
 19           this paragraph shall be determined in accordance with the  
 20           following:

<b>“For those whose date of separation occurs</b>	<b>The minimum number of years of service required under this paragraph is</b>
Before January 1, 1996 .....	25
After December 31, 1995, and before January 1, 1998 .....	26
After December 31, 1997, and before January 1, 2000 .....	27
After December 31, 1999, and before January 1, 2002 .....	28
After December 31, 2001, and before January 1, 2004 .....	29
After December 31, 2003 .....	30.

1       “(2) The minimum years of service required under  
 2 this paragraph shall be determined in accordance with the  
 3 following:

<b>“For those whose date of separation occurs</b>	<b>The minimum number of years of service required under this paragraph is</b>
Before January 1, 1996 .....	20
After December 31, 1995, and before January 1, 1998 .....	21
After December 31, 1997, and before January 1, 2000 .....	22
After December 31, 1999, and before January 1, 2002 .....	23
After December 31, 2001, and before January 1, 2004 .....	24
After December 31, 2003, and before January 1, 2006 .....	25
After December 31, 2005, and before January 1, 2008 .....	26
After December 31, 2007, and before January 1, 2010 .....	27
After December 31, 2009, and before January 1, 2012 .....	28
After December 31, 2011, and before January 1, 2014 .....	29
After December 31, 2013 .....	30.”.

4           (2) LAW ENFORCEMENT OFFICERS AND FIRE-  
 5 FIGHTERS.—Section 8336(c)(1) of title 5, United  
 6 States Code, is amended to read as follows:

7       “(c)(1) An employee who is separated from the serv-  
 8 ice after becoming 50 years of age and completing a total  
 9 number of years of service as a law enforcement officer  
 10 or firefighter (including a combination of both types of  
 11 service) equal to at least the number of years required  
 12 under section 8336(o)(2) is entitled to an annuity.”.

13       (3) AIR TRAFFIC CONTROLLERS.—Section  
 14 8336(e) of title 5, United States Code, is amended  
 15 to read as follows:

16       “(e) An employee who is voluntarily or involuntarily  
 17 separated from the service, except by removal for cause  
 18 on charges of misconduct or delinquency, after—



1           “(1) completing a number of years of service, at  
2           least equal to the number of years required under  
3           section 8336(o)(1), as an air traffic controller, or

4           “(2) becoming 50 years of age and completing  
5           a number of years of service, at least equal to the  
6           number of years required under section 8336(o)(2),  
7           as an air traffic controller,  
8           is entitled to an annuity.”.

9           (4) MEMBERS OF THE CAPITOL POLICE.—Sec-  
10          tion 8336(m) of title 5, United States Code, is  
11          amended to read as follows:

12          “(m) A member of the Capitol Police who is sepa-  
13          rated from the service after becoming 50 years of age and  
14          completing a total number of years of service as a member  
15          of the Capitol Police or as a law enforcement officer (in-  
16          cluding a combination of both types of service) equal to  
17          at least the number of years required under section  
18          8336(o)(2) is entitled to an annuity.”.

19          (b) YEARS OF SERVICE REQUIRED FOR AN IMME-  
20          DIATE ANNUITY UNDER FERS.—

21          (1) SCHEDULE FOR INCREASING YEARS RE-  
22          QUIRED TO 30.—Section 8412 of title 5, United  
23          States Code, is amended by adding at the end the  
24          following:

1       “(i)(1) The minimum years of service required under  
 2 this paragraph shall be determined in accordance with the  
 3 following:

<b>“For those whose date of separation occurs</b>	<b>The minimum number of years of service required under this paragraph is</b>
Before January 1, 1996 .....	25
After December 31, 1995, and before January 1, 1998 .....	26
After December 31, 1997, and before January 1, 2000 .....	27
After December 31, 1999, and before January 1, 2002 .....	28
After December 31, 2001, and before January 1, 2004 .....	29
After December 31, 2003 .....	30.

4       “(2) The minimum years of service required under  
 5 this paragraph shall be determined in accordance with the  
 6 following:

<b>“For those whose date of separation occurs</b>	<b>The minimum number of years of service required under this paragraph is</b>
Before January 1, 1996 .....	20
After December 31, 1995, and before January 1, 1998 .....	21
After December 31, 1997, and before January 1, 2000 .....	22
After December 31, 1999, and before January 1, 2002 .....	23
After December 31, 2001, and before January 1, 2004 .....	24
After December 31, 2003, and before January 1, 2006 .....	25
After December 31, 2005, and before January 1, 2008 .....	26
After December 31, 2007, and before January 1, 2010 .....	27
After December 31, 2009, and before January 1, 2012 .....	28
After December 31, 2011, and before January 1, 2014 .....	29
After December 31, 2013 .....	30.”.

7               (2) LAW ENFORCEMENT OFFICERS, MEMBERS  
 8 OF THE CAPITOL POLICE, AND FIREFIGHTERS.—Sec-  
 9 tion 8412(d) of title 5, United States Code, is  
 10 amended to read as follows:

11       “(d) An employee who is separated from the service,  
 12 except by removal for cause on charges of misconduct or  
 13 delinquency, after—

1           “(1) completing a total number of years of serv-  
2           ice as a law enforcement officer, member of the Cap-  
3           itol Police, or firefighter (including any combination  
4           of such service) totaling at least the number of years  
5           required under subsection (i)(1), or

6           “(2) becoming 50 years of age and completing  
7           a total number of years of service as a law enforce-  
8           ment officer, member of the Capitol Police, or fire-  
9           fighter (including any combination of such service)  
10          totaling at least the number of years required under  
11          subsection (i)(2),  
12          is entitled to an annuity.”.

13           (3)   AIR   TRAFFIC   CONTROLLERS.—Section  
14           8412(e) of title 5, United States Code, is amended  
15           to read as follows:

16           “(e) An employee who is separated from the service,  
17           except by removal for cause on charges of misconduct or  
18           delinquency, after—

19           “(1) completing a number of years of service, at  
20           least equal to the number of years required under  
21           section 8412(i)(1), as an air traffic controller, or

22           “(2) becoming 50 years of age and completing  
23           a number of years of service, at least equal to the  
24           number of years required under section 8412(i)(2),  
25           as an air traffic controller,

1 is entitled to an annuity.”.

2 (c) MANDATORY SEPARATION UNDER CSRS.—

3 (1) LAW ENFORCEMENT OFFICERS AND FIRE-  
4 FIGHTERS.—Section 8335(b) of title 5, United  
5 States Code, is amended by striking the first 2 sen-  
6 tences and inserting the following: “A firefighter  
7 who is otherwise eligible for immediate retirement  
8 under section 8336(c) shall be separated from the  
9 service on the last day of the month in which such  
10 firefighter becomes 55 years of age or completes the  
11 minimum number of years of service required to re-  
12 tire under section 8336(c) if then over that age. A  
13 law enforcement officer who is otherwise eligible for  
14 immediate retirement under section 8336(c) shall be  
15 separated from the service on the last day of the  
16 month in which that officer becomes 57 years of age  
17 or completes the minimum number of years of serv-  
18 ice required to retire under section 8336(c) if then  
19 over that age.”.

20 (2) MEMBERS OF THE CAPITOL POLICE.—Sec-  
21 tion 8335(d) of title 5, United States Code, is  
22 amended by striking the first sentence and inserting  
23 the following: “A member of the Capitol Police who  
24 is otherwise eligible for immediate retirement under  
25 section 8336(m) shall be separated from the service

1 on the last day of the month in which such member  
2 becomes 55 years of age or completes the minimum  
3 number of years of service required to retire under  
4 section 8336(m) if then over that age.”.

5 (d) MANDATORY SEPARATION UNDER FERS.—

6 (1) LAW ENFORCEMENT OFFICERS, MEMBERS  
7 OF THE CAPITOL POLICE, AND FIREFIGHTERS.—Sec-  
8 tion 8412(b) of title 5, United States Code, is  
9 amended by striking the first 2 sentences and insert-  
10 ing the following: “A member of the Capitol Police  
11 or firefighter who is otherwise eligible for immediate  
12 retirement under section 8412(d) shall be separated  
13 from the service on the last day of the month in  
14 which such member or firefighter becomes 55 years  
15 of age or completes the minimum number of years  
16 of service required to retire under section 8412(d) if  
17 then over that age. A law enforcement officer who  
18 is otherwise eligible for immediate retirement under  
19 section 8412(d) shall be separated from the service  
20 on the last day of the month in which that law en-  
21 forcement officer becomes 57 years of age or com-  
22 pletes the minimum number of years of service re-  
23 quired to retire under section 8412(d) if then over  
24 that age.”.

1           (2) AIR TRAFFIC CONTROLLERS.—Section  
2       8412(a) of title 5, United States Code, is amended  
3       by striking the first sentence and inserting the fol-  
4       lowing: “An air traffic controller who is otherwise el-  
5       igible for immediate retirement under section  
6       8412(e) shall be separated from the service on the  
7       last day of the month in which that air traffic con-  
8       troller becomes 56 years of age or completes the  
9       minimum number of years of service required to re-  
10      tire under section 8412(e) if then over that age.”.

11 **SEC. 6. TECHNICAL AND CONFORMING AMENDMENTS.**

12       (a) DEFERRED RETIREMENT.—

13           (1) CSRS.—Section 8338(a) of title 5, United  
14       States Code, is amended by striking “years.” and in-  
15       serting “years or, if higher, the minimum age then  
16       required to be eligible to retire under paragraph (1)  
17       or (2) of section 8336(a), as the case may be.”.

18           (2) FERS.—Section 8413(a) of title 5, United  
19       States Code, is amended by striking “years.” and in-  
20       serting “years or, if higher, the minimum age then  
21       required to be eligible to retire under paragraph (1),  
22       (2), or (3) of section 8412(a), as the case may be.”.

23       (b) IMMEDIATE ANNUITY UNDER FERS WITH  
24       RIGHT TO DEFER COMMENCEMENT DATE.—Section  
25       8412(g) of title 5, United States Code, is amended—

1           (1) in paragraph (1) by inserting after “sub-  
2       section (h)” the following: “, or, if higher, the mini-  
3       mum age then required to be eligible to retire under  
4       paragraph (1), (2), or (3) of section 8412(a), as ap-  
5       plicable,”; and

6           (2) in paragraph (2) by striking “62 years of  
7       age.” and inserting “65 years of age”.

8       (c) ELIMINATION OF HIGHER PERCENTAGE USED IN  
9       FERS COMPUTATIONS AFTER 2007.—Section 8415(g)(2)  
10      of title 5, United States Code, is amended by striking  
11      “controller.” and inserting “controller, or in the case of  
12      any benefits computed based on a separation occurring  
13      after December 31, 2007.”.

○

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